

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

53rd Legislative Day

November 7, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the gallery please rise? Our prayer today will be given by Pastor Thomas Christell, Grace Lutheran Church, Springfield, Illinois. Pastor Christell.

PASTOR THOMAS CHRISTELL:

(Prayer by Pastor Thomas Christell)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

We have two requests to film the proceedings: WAND and Channel 20. Is there leave? Leave is granted. Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Wednesday, May 30th, and Thursday, May 31, 2001.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Myers moves to approve the Journals just read. There being no objection, so ordered. House Bills, 1st.

SECRETARY HARRY:

House Bill 2077, offered by Senator Petka.

(Secretary reads title of bill)

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House Bill 2299, by Senators Hawkinson and Cullerton.

(Secretary reads title of bill)

House Bill 2377, by Senator Luechtefeld.

(Secretary reads title of bill)

(House Bill 2377 read into record in error)

Senator Dillard offers House Bill 2619.

(Secretary reads title of bill)

And House Bill 3363, by Senator Noland.

(Secretary reads title of bill)

PRESIDENT PHILIP:

Messages.

SECRETARY HARRY:

Message from Senator Robert A. Madigan, addressed to the President of the Senate.

I hereby resign my position as State Senator from the 45th Senate District, effective June 30th. It has truly been an honor serving my constituents and I am grateful for their trust in my abilities.

Sincerely, Robert M. -- or, Robert A. Madigan, State Senator, 45th District.

A Message from the Secretary of State, dated July 17th, 2001, to the Secretary of the Senate.

This office is forwarding herewith copies of the Legislative Committee Organization and Notification of Vacancy from the Republican Legislative Committee of the 45th Legislative District declaring the existence of a vacancy in the office of Senator in the 92nd General Assembly in the 45th Legislative District, as a result of the resignation of Robert A. Madigan, effective June 30th, 2001. Also enclosed are copies of the Appointment by the Republican Legislative Committee of the 45th Legislative District of Claude U. Stone, Jr., of Morton, to the office of Senator from the 45th Legislative District, along with

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the Oath of Office.

Yours truly, Jesse White, Secretary of State.

Messages from the Secretary of State, dated November 7th, 2001.

To the Honorable President of the Senate:

Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills from the 92nd General Assembly as vetoed by the Governor, together with his objections.

Senate Bills 50, 74, 161, 165, 326, 330, 603, 606, 635, 720, 1294, 1304, 1514 and 1522.

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills that are being returned by the Governor with specific recommendations for change.

Senate Bills 28, 175, -- or, 647, 653, 1046 and 1493.

And, I am enclosing herewith a copy of the Approval Message from the Governor as filed in my office and directed to the Honorable Members of the Senate of the 92nd General Assembly, as follows:

Senate Bill 62, Public Act 92-087; Senate Bill 1341, Public Act 92-185; and Senate Bill 1521, Public Act 92-445.

Respectfully, Jesse White, Secretary of State.

A Message from the President, dated July 19th, 2001.

Dear Mr. Secretary - Please be advised that I have made the following changes to standing committees for the 92nd General Assembly:

On the Committee on Insurance and Pensions, Senator Tom Walsh will replace Senator Robert Madigan as Chair, and Senator William Peterson is appointed Vice-Chair.

On the Committee on State Government Operations,

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Senator Walsh will remain on the Committee, but Senator Bomke will replace him as Chair of the Committee.

These appointments and changes are effective immediately.

Dated July 19th, 2001.

Another Message from the President, dated August 3rd, 2001.

Dear Mr. Secretary - Please be advised that I have appointed Senator Peter Roskam to replace Senator Madigan on the Committee on Insurance and Pensions. This appointment is effective immediately.

Message from the President, dated August 9th, 2001.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 3-3(d), I hereby create a special temporary committee to be known as the Special (Senate) Committee on the State Board of Education to be composed of five Senators appointed by the Senate President, one of whom shall be designated as Chairperson, and three Senators appointed by the Senate Minority Leader. The committee is directed to conduct a study for the purpose of evaluating programs within the State Board of Education, focusing on duplicity and overlapping of functions and duties within the organizational structure of the agency. The committee shall examine all functions and duties of the agency concerning methods and alternatives that will promote greater efficiency and streamlining of the agency's administration. The committee is further directed to report its findings to the Senate on or before November 1st, 2001.

Message from the President, -- dated August 9th, 2001.

Dear Mr. Secretary - Please be advised that I have appointed the following Members to the Special Senate Committee on the State Board of Education: Senators Peter Roskam, Chair; Burzynski, Cronin, Karpiel and Watson.

A Message from the Minority Leader, dated September 5th, 2001.

Dear Mr. Secretary - Please be advised that I have made

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the following appointments, to be effective immediately, to the Senate Special Committee on the State Board of Education: Senators Demuzio, Lisa Madigan and Lightford.

A Message from the President, dated June 4th, 2001.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 3-3(d), I hereby create a special temporary committee to be known as the Special Senate Committee on the Teachers Retirement Insurance Program to be composed of the following: four Senators appointed by the Senate President, one whom -- of whom shall be designated as Chairperson; four Senators appointed by the Senate Minority Leader; the Executive Director of the Illinois Retired Teachers Association or his designee; President of the Illinois Education Association or her designee; President of the Illinois Federation of Teachers or his designee; Executive Director of the Illinois Association of School Boards or his designee; and the Executive Director of the Illinois Association of School Administrators or his designee; also, the Director of the Department of Central Management Services or his designee. The Committee is directed to discuss the options for the financial future of the Teachers Retirement Insurance Program and to reports its recommendations for a solution to the Senate no later than November 1st, 2001. The Chairperson shall call meetings with at least six days advanced notice to the members and by public posting on the Senate bulletin board.

A Message from the President, dated June 6th, 2001.

Dear Mr. Secretary - Please be advised that I have appointed the following Members to the Senate Special Committee on Teachers Retirement Insurance Program: Senators Robert Madigan, Chair; Syverson, Tom Walsh and Weaver.

A Message from the President, dated August 3rd, 2001.

Dear Mr. Secretary - Please be advised that I have appointed Senator Peter Roskam to the Special Senate Committee on

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the Teachers Retirement Insurance Program and I have appointed Senator Thomas J. Walsh to replace Senator Madigan as Chair of the Committee. These appointments are effective immediately.

And a Message from the Minority Leader, dated June 14th, 2001.

Dear Mr. Secretary - Please be advised that I have made the following appointments, to be effective immediately, to the Special Senate Committee on the Teachers Retirement Insurance Program: Senators Demuzio, Jacobs, Hendon and Clayborne.

A Message from the Comptroller, dated November 2nd, 2001.

To the Honorable Members of the Senate, 92nd General Assembly - I have nominated the following named person to the Merit Commission of the Office of Comptroller for the remainder of the unexpired term of Elizabeth L. Jensen, who has resigned from the Merit Commission effective December 1, 2001. Ms. Jensen was appointed to a term which expires the third Monday in January 2006. I respectfully ask concurrence in the confirmation of this appointment by your Honorable Body.

Signed by Daniel W. Hynes, Comptroller.

A Message from the State Board of Education, dated September 28th, 2001: a Report on Waiver of School Code Mandates.

Message for the Governor, by Michael P. Madigan, Director of Legislative Affairs, November 7th, 2001.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, Illinois General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

PRESIDENT PHILIP:

If -- if I could have the attention of the Senate for one minute. And -- visiting us today, up here in the Podium, is

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Senator Art Berman, an old, old friend. Art, I've always felt you should have been on this side of the aisle anyway. Always nice to see you. And I -- and then I -- I would like to introduce the new Senator from Tazewell County, Senator Claude Stone. Very, very happy to have you aboard. And just -- just for the -- for -- for information, Claude lived in DuPage County for a number of years, and -- in the beautiful Village of -- of Glen Ellyn, and we're happy to have him back down here in the Senate. So, congratulations, Senator. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Education - Senate Joint Resolution 42; to the Committee on Executive - House Bill 934, House Bills 1829, 2567, 2619 and 2729; to the Committee on Judiciary - House Bill 2299; to -- referred to the Order of Concurrence - Senate Bill 385; and Be Approved for Consideration - Senate Bill 88, Senate Bill 1251, Senate Bill 1269, House Bill 3426 and House Bill 3439.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 113, with House Amendments 1 and 5.

We have a like Message on Senate Bill 118, with House Amendments 1 and 2; and Senate Bill 989, with House Amendment No. 1.

All passed the House, as amended, May 31, 2001.

PRESIDENT PHILIP:

Introduction of Bills.

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ACTING SECRETARY HAWKER:

Senate Bill 1525, offered by Senator Trotter.

(Secretary reads title of bill)

Senate Bill 1526, offered by Senator Lisa Madigan.

(Secretary reads title of bill)

Senate Bill -- 1527, offered by Senator Demuzio.

(Secretary reads title of bill)

And Senate Bill 1528, offered by Senator Woolard.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 176, offered by Senator Demuzio and all Members.

Senate Resolution 177, offered by Senator Shadid and all Members.

Senate Resolution 178, offered by Senator Hawkinson and all Members.

Senate Resolution 179, offered by Senator Shaw and all Members.

Senate Resolution 180, offered by Senator Noland and all Members.

Senate Resolution 181, offered by Senator Link and all Members.

Senate Resolutions 182, 183, 184, 185, all offered by Senator Link and all Members.

Senate Resolution 186, offered by Senator Dillard and all Members.

Senate Resolution 187, also offered by Senator Dillard and all Members.

Senate Resolution 188, offered by Senator O'Malley and all

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Members.

Senate Resolution 189, offered by Senator Geo-Karis and all Members.

Senate Resolution 190, offered by Senator Emil Jones and all Members.

Senate Resolution 191, offered by Senator Shadid and all Members.

Senate Resolution 192, offered by Senator Geo-Karis and all Members.

Senate Resolution 193, offered by Senator Link and all Members.

Senate Resolution 194, offered by Senator Lightford and all Members.

Senate Resolution 195, offered by Senator Emil Jones and all Members.

Senate Resolution 196, offered by Senators Hawkinson and Shadid and all Members.

Senate Resolution 197, 198, both offered by Senator Link and all Members.

Senate Resolution 199, offered by Senator Hendon and all Members.

Senate Resolution -- pardon me, 200, offered by Senator O'Malley and all Members.

Senate Resolution 201, offered by Senator Dillard and all Members.

Senate Resolution 202, offered by Senator Hawkinson and all Members.

Senate Resolution 203, offered by Senator Clayborne and all Members.

Senate Resolution 204, Senate Resolution 205, both offered by Senator Silverstein and all Members.

(Senate Resolution 206.)(Resolution within parentheses

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submitted in writing, but inadvertently not read into the record.)

Senate Resolution 207, offered by Senators Shadid and Hawkinson and all Members.

Senate Resolution 208, offered by Senator Clayborne and all Members.

Senate Resolution 209, offered by Senator Dillard and all Members.

Senate Resolution 210, offered by Senator Clayborne and all Members.

Senate Resolution 211 and Senate Resolution 212, offered by Senator Silverstein and all Members.

Senate Resolutions 213 and 214, offered by Senator Shaw and all Members.

Senate Resolution 215, offered by Senator Emil Jones and all Members.

Senate Resolution 216, offered by Senator O'Malley and all Members.

Senate Resolution 217, offered by Senators Shadid and O'Daniel and all Members.

Senate Resolution 218, offered by Senator Link and all Members.

Senate Resolution 219, offered by Senator Noland and all Members.

Senate Resolution 220 and Senate Resolution 221, both offered by Senator Parker and all Members.

They're all death resolutions.

PRESIDENT PHILIP:

Consent Calendar.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 42, offered by Senator Cronin.

It is substantive.

And Senate Joint Resolution, Constitutional Amendment, No. 43,

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offered by Senator Thomas Walsh.

Senate Joint Resolution 42 was offered by Senator Cronin.

PRESIDENT PHILIP:

Mr. {sic} Secretary, have there been any motions filed?

ACTING SECRETARY HAWKER:

Yes. Senator O'Malley filed resolutions on -- filed motions on Senate Bills 635, 1294, 1304 and 1522; Senator Dudycz has filed a motion with regard to Senate Bill 720; and Senator Cullerton has filed a motion on Senate Bill 647.

PRESIDENT PHILIP:

Mr. {sic} Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. We will now proceed to the Order of Resolutions Consent Calendar. With the leave of the Body, all of those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any of the resolutions on the Consent Calendar?

ACTING SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDENT PHILIP:

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted? All those in favor will signify by saying Aye. Those opposed, Nay. The motion carried and the resolutions are adopted. ...Karpriel, for what purpose do you rise?

SENATOR KARPIEL:

I rise to announce -- I rise to announce a Republican Caucus in Senator Philip's Office immediately -- immediately upon adjournment.

PRESIDENT PHILIP:

If there's -- any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senate Joint Resolution 41, adopted on May 31st, 2001, Senator Weaver moves the

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Senate stands adjourned until the hour of noon, Tuesday, November 13, the year 2001.